FREEDOM OF INFORMATION ACT ANNUAL REPORT

FOIA Data Submission Form for Treasury Bureaus
Fiscal Year 2005
(Oct. 1, 2004-Sept. 30, 2005)

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Note: Bureau reporting begins at item II-B. Those sections marked "Not for bureaus" will be answered by the Departmental Disclosure Office in the combined report.
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I. and **II** - A. (Not for bureaus.)

II. B. Brief Description of your bureau's response-time ranges.
The response time for FOIA requests ranged from 1 day to 340 days for the most voluminous and/or complicated requests.

C. Brief description why some requests are not granted.
The most common reasons why requests for records could not be granted are: (1) the records are business plans associated with applications (5 U.S.C. § 552(b)(4)); (2) the documents protect personal privacy interest (5 U.S.C. § 552(b)(6)); and (3) the records are bank examination reports or are related to such reports (5 U.S.C. § 552(b)(8)).

III. Definition of terms and acronyms used in this report.
A. List your agency-specific acronyms or terms. *None used.*
B. Basic Terms (This has already been done by the Department of Justice (DOJ).)

IV. Exemption 3 Statutes.

A. List of Exemption 3 statutes relied on by agency during fiscal year.

None.

1. Brief description of type(s) of information withheld under each statute.

2. Statement of whether a court has upheld the use of each statute. If so, then cite example. **[See page 556 of DOJ's paper copy of the FOIA case list for resource, or on line at http://www.usdoj.gov/04foia/cl-tofc.html. List all statutes used during this reporting year. Follow DOJ format in placing the information in columns: Statute/Rule; Type of Information Withheld; Case Citation. See attached sample (Attachment B).]**

V. FOIA/PA Access Requests. Include all access requests, whether first-party or third-party. (*First-party*--**a request for one's own records,** *Third-party*--**all other requests.**)

   A. Number of initial requests. Total of the numbers in lines 1 and 2, minus the number in line 3, should equal the number in line 4.

      1. Number of requests pending as of end of preceding fiscal year **(FY04)**: *26* **(Take # of requests from line V.A. #4 of previous fiscal year's report)**

      2. Number of requests received during current reporting period: **4071**

      3. Number of requests processed during current reporting period: **4003** **(Total # of requests in 1 and 2 above that were closed in current fiscal year)**

      4. Number of requests pending at the end of current reporting period: **94** **(Above items 1 + 2 - 3 = line 4) (Also enter this number in section VII. B. 1.)**

   B. Disposition of initial requests. **(Total number of dispositions B1 + B2 + B3 + B4 = A3)**

      1. Number of total grants: **3796**

      2. Number of partial grants: **78 (the same as partial withheld)**

      3. Number of denials: **18**

        a. Number of times each FOIA exemption used (counting each exemption once per request):

(b)(1) _____	(b)(6) **59**	(b)(7)(E) **4**
(b)(2) **5**	(b)(7)(A) **2**	(b)(7)(F) _____
(b)(3) _____	(b)(7)(B) **1**	(b)(8) **55**
(b)(4) **78**	(b)(7)(C) **6**	(b)(9) _____
(b)(5) **24**	(b)(7)(D) **1**	

      4. Other reasons for nondisclosure (total): **111**

        a. no records **42** (no records found that were responsive to the request)
        b. referrals **8** (a request forwarded, in total, to another Treasury bureau or another agency for response)
        c. withdrawn **59** (requester withdrew the request)

    d. fee-related **1** (nonpayment of estimated fees, or previously owed fees)

    e. records not reasonably described _____ (requests which do not adequately describe the records sought)

    f. not a proper FOIA request for some other reason _____ (for example, requester sought answers to questions)

    g. not an agency record _____ (not the type of record maintained by Treasury)

    h. duplicate request **1** (more than one request from the same requester which was received by the agency or forwarded from other sources)

    i. other (specify) _____ (requests that were not processed for other reasons)

VI. Appeals of initial denials of FOIA/PA requests. Again, include all access requests, whether *First-party*--a request for one's own records or *Third-party*--all other requests.

  A. Number of appeals.

    1. Number of appeals received during the current reporting period: **12**

    2. Number of appeals processed (closed) during the current reporting period: **12**

  B. Disposition of appeals.

    1. Number completely upheld: **4** (requester's appeal denied)

    2. Number partially reversed: **6** (requester's appeal partially granted and partially denied)

    3. Number completely reversed: **1** (requester's appeal granted)

      a. number of times each FOIA exemption used (counting each exemption once per appeal):

(b)(1) _____	(b)(6) **1**	(b)(7)(E) _____
(b)(2) **4**	(b)(7)(A) _____	(b)(7)(F) _____
(b)(3) _____	(b)(7)(B) _____	(b)(8) **9**
(b)(4) **7**	(b)(7)(C) **1**	(b)(9) _____
(b)(5) **6**	(b)(7)(D) _____	

    4. Other reasons for non-disclosure (total): **1**
      (Remember, this pertains to appeals and therefore the numbers reported will most likely be low to zero.)

      a. no records _____ (no records found that were responsive to the request)

      b. referrals **1** (a request forwarded in total, to another Treasury bureau or another agency for response)

      c. withdrawn _____ (requester withdrew the request)

      d. fee-related _____ (nonpayment of estimated fees, or previously owed fees)

    e. records not reasonably described _____ (requests which do not adequately describe the records sought)

    f. not a proper request/appeal for some other reason _____ (for example, requester sought answers to questions)

    g. not an agency record _____ (not the type of record maintained by Treasury)

    h. duplicate request _____ (more than one request from the same requester, which was received by the agency or forwarded from other sources)

    i. other (specify) _____ (requests that were not processed for other reasons)

VII. Compliance with Time Limits/Status of Pending Requests.
(Please note that there are two median times that are reported in this section: (1) median time for processing completed requests and (2) median number of days that pending requests were in pending status. Days reported should be **"working days"** as opposed to "calendar days.")

  A. Median time for processing requests.

    Median time for processing completed requests was 12 days.

    1. Simple Requests (report only if multi-track processing is used. If not used, report as "N/A"). *(**Simple request--a FOIA request that an agency using multi-track processing places in its fast track based on the volume and/or complexity of records requested).** Requests approved for expedited processing are not included here.*

           N/A

      a. Number of "simple requests" processed (closed): _____

      b. Median number of days to process "simple requests": _____

    2. Complex Requests *(**Complex request--a FOIA request that an agency using multi-track processing places in a slower track based on the volume and/or complexity of records requested).***

           N/A

      a. Number of "complex requests" processed (closed): _____

      b. Median number of days to process "complex requests": _____

    3. Requests for expedited processing.

      a. number of expedited requests processed (closed): **0**

      b. median number of days to process expedited requests: _____

  B. Status of pending requests (bureaus using multiple tracks may provide number for each track, as well as total).

    1. Number of requests pending at end of current reporting period: **94**
       (Enter the number from section V.A.4.)

    2. Median number of days that such requests were pending as of that date: **94**

VIII. Comparisons with Previous Years.

>**According to DOJ instructions, report here the number of expedited processing requests received and the number processed. Also report any other items that need more detail or clarification.**

IX. Costs/FOIA Staffing.

    A. Staffing levels.

In completing this part regarding staffing levels related to FOIA/PA matters, you should be careful to pay full attention to Line 2 as well as Line 1. Line 1 simply asks for the number of personnel who are involved in FOIA/PA matters full-time. Line 2 asks for the number of personnel who have only part-time or occasional FOIA duties (even if merely sporadic), expressed in total numbers of work-years. For example, if your bureau had four employees working full-time on FOIA matters and three employees with part-time FOIA responsibilities, it would simply specify "4" on Line l.

To complete Line 2, however, you would have to determine, and then total, the individual work-year percentages for the three employees working on FOIA matters only part-time. If the first employee devoted an estimated 10 percent of her time to the FOIA, the second employee 30 percent of his time, and the third employee 15 percent of her time, then that would total 55 percent of a work-year. So for Line 2, you would enter ".55 work-years." Your entry for Line 3 would be "4.55 work-years." You will arrive at a figure for Line 3 by adding the number in Line 1 to the number (which could be zero) in Line 2.

       1. Number of full-time FOIA personnel: **2**
       2. Number of personnel with part-time or occasional FOIA duties: **1.6**
       3. Total number of personnel (in work-years): **3.6**

B. Total costs (staff and resources combined).

In filling out this part, you are asked to provide three figures, based upon your bureau's best ability to calculate the costs of your FOIA activities. Line 1 seeks the total costs of FOIA-processing activities, including appeals. In completing it, you are asked to include the costs of your bureau's staffs "and all resources" that are devoted to these activities. To arrive at a comprehensive figure for this, your bureau must do its best to estimate the costs of these resources -- which may include such items as photocopying, postage, data-processing services, and other items of overhead that are reasonably allocable to your bureau's FOIA operations.

For Line 2, bureaus are likewise asked to provide estimates of the costs of their litigation-related FOIA activities. Such estimates should take into account the full range of the bureau's efforts that are undertaken in support of a FOIA litigation case, including attorney coordination with declarants, additional subject-matter experts, and other bureau program personnel.

1. FOIA processing (including appeals): **$ 258,521**

2. Litigation-related activities (estimated): **$ 0**

3. Total Costs: **$ 258,521**

4. Comparison with previous years. (Not required).

C. Statement of additional resources needed for FOIA compliance (Optional).

If a continual FOIA backlog exists in your bureau because of a lack of FOIA resources, you are encouraged to include a statement here.

X. Fees.

A. Total fees collected FY 2005: **$ 69,782.08**
B. Percentage of total costs: **26.99**%

XI. FOIA Regulations.